

Judicial Administration Committee
Judicial Conference of Indiana

Minutes
May 13, 2005

The Judicial Administration Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on Friday, May 13, 2005 from 10:00 a.m. – 2:30 p.m.

1. Members present. Daniel F. Donahue, Michael A. Shurn, Mary G. Willis, and Judith S. Proffitt, Chair.
2. Staff present. Jeffrey Bercovitz provided the committee with staff assistance.
3. Guests present. Mary DePrez, Director and Counsel of Trial Court Technology, Division of State Court Administration; Ron Kent, CMS Project Manager, CroweChizek; Kathy Fluke; and Nate Pelzar, JTAC Intern, and Senior Judge John Kellam.
4. Minutes approved. The minutes for the committee on March 11, 2005 were approved.
5. Liaison to JTAC. Judge Kellam asked the Judicial Administration Committee for a liaison to a JTAC document format committee. The judge would work with the format committee and seek policy guidance from the Judicial Administration Committee. He explained this would improve communication from JATC to stakeholders. Ron Kent said some of the previous JTAC policy considerations were incorrect and the CMS system would be customized for use in Indiana, not adopted from another state. Mary DePrez distributed a handout entitled, “JTAC Update” of current CMS project activities.

Judge Kellam explained the document committee would decide what documents were needed, and the standardization and consistency statewide for them. Judge Donahue said the CCS tells the story of the case. Space needs to be reserved in the CMS so a court could add a few words as a reminder. Judge Proffitt asked about the time commitment for the liaison and whether a backup could be used. Judge Kellam stated the committee would begin work in about 60 days, and would meet at least once a week at the start. There would be face-to-face meetings at the beginning, followed by web, virtual meetings later. Senior judges could be used to permit trial judges to meet often and prepare for committee meetings. Judge Proffitt asked if a senior judge could be used as representative. Judge Kellam replied maybe as an alternate.

Judge Proffitt said she would seek volunteers and give names to Judge Kellam as soon as possible.
6. Benchbook for judges to manage *pro se* litigation.
 - a. Committee members completed review of the Civil Mental Commitment section. Judge Donahue agreed to answer questions as noted for the next meeting.
 - b. Jeffrey Bercovitz distributed the following:
 - (1) Magistrate Boyer’s draft section on contempt.
 - (2) Contempt checklist from the City and Town Court Benchbook. He agreed to distribute the Contempt checklist from the Civil Benchbook.
 - (3) Cases on a court determination of self-representation and an excerpt from the Criminal Benchbook on this topic.

- (4) Document about the risks of self-representation from Judge Donahue.
- (5) Information sheet used by Judge Horn's Clerk to tell *pro se* litigants about proper service for divorces, contempts, emancipations, modification and other types of cases.

Committee members agreed to review the information from Judge Donahue on the mental commitment section, discuss the self-representation dialogue and cases, review the contempt information, review the clerk notice on service and review the criminal section from Judge Pratt. See Attachment No. 1 for assignments.

- 7. Next meeting dates. The committee agreed to hold future meetings on the following dates: June 10, July 8, August 12, and October 14, 2005, from 10:00 a.m. - 4:00 p.m. at the Indiana Judicial Center. There will be no November 11 meeting.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law

**Assignments: Benchbook for Judicial Officers:
Administration Of Cases With Pro Se Litigants**

Introduction

<i>Completed 8/13/04</i>	Introduction/General considerations	J. Proffitt, Chair
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Civil

<i>Completed 2/11/05</i>	(1) <u>Domestic Relations</u> Initial dissolution, post-dissolution matters, letters and third-party correspondence, Final hearing, custody, change of residence, parenting time, other	J. Eldred and J. Willis
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(2)	<u>Small claims</u>	J. Love
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(3)	<u>Mortgage foreclosure/debt collection</u>	J. Horn
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<i>Completed 5/13/05</i>	(4) <u>Mental Health</u> Family member seeking guardianships – pro se Ins. Co. sets up guardianship for minor settlement Civil commitments generally	J. Snow J. Snow J. Donahue
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<i>Completed 3/11/05</i>	(5) <u>Paternity, probate</u>	J. Shurn
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<i>Completed 2/11/05</i>	(6) <u>General civil</u> Refer to forms on Self-Service Website	Committee
<i>Completed 2/11/05</i>	Appt. of Pauper Counsel and Dialogue	Mag. Boyer
<i>Drafted 2/11/05</i>	BMV – lost title, hardship license	J. Welch
<i>Drafted 2/11/05</i>	Adoption – recent past records inquiries, genealogy	J. Welch

<i>Drafted 3/11/05</i>	(7) <u>Contempt</u>	Mag. Boyer
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Criminal

(1)	<u>Misdemeanor, D Felony pro se representation</u> Pro se jury trial, dialogues, other	J. Fleece
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(2)	<u>Prisoner/Inmate litigation</u> Inmate as civil litigant – visitation, tort claims; name changes, paternity, dissolution; Criminal claims: PCR's, credit time, modification, expungement; civil rights claims, extradition requests	J. Murray, J. Pratt, LaPorte Co. contact
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<i>Drafted 5/13/05</i>	(3) <u>Clerk chapter</u> Notice to pro se litigants on service	J. Proffitt J. Horn
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